

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOSE RUIZ, aka JOSE RODRIGUEZ  
FLORES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

NO. C97-5762JET  
CR95-5852JET

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant's Motion for Relief from Judgment under Fed.R.Civ.P. 60(b).

Having considered the entirety of the records and file herein, it is hereby

ORDERED that Defendant's Motion for Reconsideration is properly construed as a second or successive §2255 petition. Defendant has not obtained prior authorization from the Ninth Circuit

1 Court of Appeals to file a second or successive motion. Accordingly, Defendant's motion is  
2 DISMISSED for want of jurisdiction.

3 The clerk of the court is instructed to send uncertified copies of this Order to all  
4 counsel of record.

5 DATED this 30<sup>th</sup> day of September 2005.

6 /s JACK E. TANNER

7  
8 

---

JACK E. TANNER  
SR. UNITED STATES DISTRICT JUDGE